

1 HONORABLE RICHARD A. JONES

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CATHERINE BLAYLOCK, et al.,

11 Plaintiffs,

12 v.

13 FIRST AMERICAN TITLE INSURANCE
COMPANY, et al.,

14 Defendants.

CASE NO. C06-1667RAJ

ORDER

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16 This matter comes before the court on Plaintiff Janet Hunt's motion (Dkt. # 301)
17 for secondary approval of her class action settlement with Defendant Commonwealth
18 Land Title of Puget Sound, LLC ("CPS"). In a March 2, 2009 order (Dkt. # 311), the
19 court required the parties to amend the short-form and long-form notices she proposed for
20 class members. They submitted amended notices on March 26, 2009, along with
21 verification that a website in accordance with the order had been created at [www.cps-](http://www.cps-settlement.com)
22 [settlement.com](http://www.cps-settlement.com).

23 The court GRANTS the motion for secondary approval, subject to the following
24 conditions.

25 First, the parties must modify the notices they submitted. Some of the
26 modifications are necessary to comply with the court's March 2 order. Some are
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1 necessary to reflect that the appeal of this action as to all Defendants except CPS was
2 recently voluntarily dismissed (Dkt. # 313). The required modifications are as follows:


- 3 1) In the short-form notice, delete the final sentence from the “What is the effect
4 of the Settlement?” section.
- 5 2) In the short- and long-form notices, delete all references to the website
6 www.jphillipslaw.com. The court has reviewed that website and finds no
7 reference to this litigation. In any event, the www.cps-settlement.com website
8 is sufficient to communicate information to class members via the internet.
- 9 3) In the long-form notice, in the final paragraph of the section entitled “2. What
10 is this lawsuit about?” delete the portion of the final sentence beginning with
11 “or to have Class Counsel recommend to the court . . .” and continuing to the
12 end of the sentence.
- 13 4) In the long-form notice, delete the final sentence from the section entitled “3.
14 What does the Settlement cover?”
- 15 5) In the long-form notice, insert the phrase “(subject to approval of the court)”
16 immediately after “select another method” in the final sentence of subpart (a).
- 17 6) In the long-form notice, delete the final sentence of the section entitled “7. Am
18 I entitled to an individual payment or refund?”

19 The court sets the following deadlines, some of which must be inserted in the
20 notices. First, CPS must complete publication of notice in The Seattle Times, the
21 Tacoma News-Tribune, and on seattlepi.com by May 8, 2009. Second, class members
22 shall be given until June 5, 2009 to comment on the settlement or object to it in writing.
23 Third, the final approval hearing will be on June 16, 2009 at 10:30 a.m.

24 Ms. Hunt shall file a motion for final approval of the settlement, including a
25 request for attorney fees, no later than noon on June 10, 2009. The court assumes that
26 this motion will be unopposed, but CPS shall submit any opposition thereto no later than
27 June 12, 2009.

1 The court GRANTS Ms. Hunt's motion for secondary approval (Dkt. # 301),
2 subject to the conditions stated above.

3 DATED this 17th day of April, 2009.

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7 The Honorable Richard A. Jones
8 United States District Judge
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